

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*<sup>1</sup>

Debtors.

Case No. 23-10253 (KBO)

Chapter 7  
(Jointly Administered)

Related Doc. No. 1402

**Objection Date: June 17, 2025 at 4:00 p.m. ET**  
**Hearing Date: June 20, 2025 at 10:00 a.m. ET**

**MOTION TO LIMIT SERVICE OF NOTICE REGARDING  
FOURTH INTERIM APPLICATION OF MILLER COFFEY TATE LLP FOR  
COMPENSATION AND FOR REIMBURSEMENT OF EXPENSES AS ACCOUNTANTS  
AND BANKRUPTCY CONSULTANTS TO THE TRUSTEE FOR THE PERIOD FROM  
OCTOBER 1, 2024 THROUGH MARCH 31, 2025**

George L. Miller, in his capacity as the chapter 7 trustee (the “Trustee”) of the estates of the above-captioned debtors (the “Debtors” or the “Estates”), hereby moves this Court (the “Motion”) for an order under Rule 2002(a)(6) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), providing that service with respect to the *Fourth Interim Application of Miller Coffey Tate LLP for Compensation and for Reimbursement of Expenses as Accountants and Bankruptcy Consultants to the Trustee for the Period from October 1, 2024 through March 31, 2025* [D.I. 1402] (the “MCT Fourth Interim Fee Application”) be limited to the Service Parties (as defined below). In support of this Motion, the Trustee respectfully represents as follows:

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<sup>1</sup> The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23- 10255. The Debtors’ headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

1. Bankruptcy Rule 2002(a)(6) provides that at least twenty one (21) days-notice of a hearing on a request for compensation for reimbursement of expenses totaling in excess of \$1,000 shall be given to all creditors. Fed. R. Bankr. P. 2002(a)(6) (emphasis added). The Trustee submits that there is sufficient cause to justify limiting the service of the MCT Fourth Interim Fee Application to the Service Parties designated below.

2. As reflected in the Debtors' schedules of assets and liabilities, the Debtors have approximately 700 creditors in the aggregate. See Schedules of Assets and Liabilities [D.I. 70, 72 & 74]. The MCT Fourth Interim Fee Application is 116 pages and the Trustee represents that to serve a copy of the MCT Fourth Interim Fee Application on each and every creditor of the Debtors would be a significant expense to the Debtors' estates.

3. The Trustee requests that a copy of the Notice of the MCT Fourth Interim Fee Application (the "Notice") be served via U.S. First Class Mail and be limited to: (a) the Office of the United States Trustee; (b) counsel to the Debtors; (c) the Debtors' pre-petition secured lenders with names and addresses appearing in Schedule D of the Schedules of Assets and Liabilities prepared by the Debtors; (d) known counsel to any other Lenders; (e) the largest thirty (30) unsecured creditors with names and addresses appearing in Schedule F of the Schedules of Assets and Liabilities prepared by the Debtors; and (h) all parties who have requested notice pursuant to Federal Rule of Bankruptcy Procedure 2002<sup>2</sup> (the "Notice Service Parties").<sup>3</sup>

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<sup>2</sup> Notification of filing the MCT Fourth Interim Fee Application was provided by way of electronic service via a Notice of Electronic Filing (NEF) through the Court's CM/ECF system to all parties receiving notifications through CM/ECF in the above-captioned Estates and a complete copy of the MCT Fourth Interim Fee Application can be accessed via CM/ECF.

<sup>3</sup> A complete copy of the MCT Fourth Interim Fee Application may be obtained by contacting Trustee's counsel if not attached to the Notice.

4. Additionally, the Trustee requests that a complete copy of the MCT Fourth Interim Fee Application be served via U.S. First Class Mail and be limited to (i) the Trustee, and (ii) the Office of the United States Trustee for the District of Delaware (the “Application Service Parties”). The Notice Service Parties and the Application Service Parties are collectively referred to herein as (the “Service Parties”).

5. The Trustee believes service of the Notice of the MCT Fourth Interim Fee Application and service of the MCT Fourth Interim Fee Application as described above on the Service Parties is sufficient to ensure that all parties reasonably interested in the outcome of the MCT Fourth Interim Fee Application will have notice thereof and an opportunity to respond thereto.

WHEREFORE, the Trustee respectfully requests that the Court enter an order, in the form attached hereto as Exhibit “A”, providing that service of the Notice of the MCT Fourth Interim Fee Application and service of the MCT Fourth Interim Fee Application be limited to the Service Parties as described above.

Dated: June 3, 2025

COZEN O’CONNOR

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